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ABSTRACT

The main body of the document contains recommendations presented by working committees of National Council on Indian Opportunity (NCIO) to the Urban Indian Conference held in December of 1970. Recommendations as outlined and discussed by various committees of NCIO are presented for the following areas: housing, education, alcoholism and drugs, economic development, contracts and proposals, Indian centers, employment, land, health, communication, political affairs of Indian interest, and treaty rights. The document concludes with a recommendation to the President of the United States that a President's Commission on the American Indian be established to examine the rights, privileges, and administrative policies regarding the American Indian. (EL)

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NATIONAL COUNCIL ON INDIAN OPPORTUNITY

OFFICE OF THE VICE PRESIDENT

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[RECOMMENDATIONS OF WORKING COMMITTEES TO Urban Indian Conference]

AIRLIE HOUSE

WARRENTON, VIRGINIA

DECEMBER 14-16, 1970

RC005030

RECOMMENDATIONS OF THE HOUSING COMMITTEE

The following recommendations are being presented to the N.C.I.O. conference body for its consideration and action.

The Housing workshop feels that these recommendations will facilitate and expedite Indian housing development in all local areas.

1. N.C.I.O. should circulate a fact sheet on HUD programs applicable to Indians, and a list of the names, addresses and phone numbers of all HUD regional and area offices.

2. N.C.I.O. should request representation for the urban, reservation and the off-reservation Indians on all federal and state housing committees, commissions and task forces.

3. N.C.I.O. should immediately hire a full-time N.C.I.O. staff housing specialist to develop increased Indian housing at the local level. The first action of this staff member shall be to develop and promote a program, to train and place regional housing specialist to develop more Indian housing at the local level.

These specialists, who will be Indians, shall reside in the local areas.

4. To make funds available for Indian housing, a task force shall be designated to draw up proposals, budgets and plans for a 10-year program which can be submitted to

Congress in the form of a bill for American Indian housing.

I move that these recommendations be accepted as read by this body.

RECOMMENDATIONS OF THE EDUCATION COMMITTEE

1. Funding for Indian counselors in all levels of education in cities with large Indian population with the stipulation that the counselors be Indian and higher education.

2. That government resource people identify, develop and unify sources of funding in PL 874, 815, 89-10 and Johnson-O'Malley Act and to make available this information to Indian organizations and centers. In addition, define specific areas of information on the rights of the Indian in these laws.

3. That state, federal and local agencies provide faculty and curricula development relevant to Indian needs on all grade levels with orientation programs pertaining to Indian culture.

4. That with reservation tribal support urban Indians be allowed to participate on the following school boards: BIA, Tribal, public and private systems, that some provision be made for school board training.

5. That the recommendations and subsequent proposals of this committee be presented by the group to the President or the Vice-President of the United States, either at this conference or at the Capital Building, Wednesday, December 16, 1970.

6. U. S. Office of Education set aside special monies for urban Indian education and that these monies should go directly to urban Indian organizations and groups for demonstrations in public school systems which Indian children are attending.

RECOMMENDATIONS OF THE ALCOHOLISM & DRUGS COMMITTEE

That the National Indian Council on Alcoholism and Drugs be recognized as the national clearing house for all priorities in relation to alcoholism and drug abuse as it effects the American Indian Community; and that immediate funding priorities be directed to this organization.

WHEREAS: Alcoholism is the number one health problem of the American Indian communities; that equal priority be given to this particular concern within the community in relation to education, housing, employment, etc.

WHEREAS: Alcoholism as it effects the American Indian is of a particular significance in terms of scio-cultural factors, that all commitments for funding be made directly with indigenous programs at the local level, under the auspices of the National Indian Council on Alcoholism and Drugs.

RECOMMENDATIONS OF THE ECONOMIC DEVELOPMENT COMMITTEE

1. Recommend the formation of a national craft marketing association to provide a national market for the arts and crafts produced by local craft cooperative associations. It should be stressed that this national craft marketing association would not take the authority of local cooperatives associations.

2. Recommend that SBA clarify its position on providing funds for community or tribal-owned businesses.

3. Recommend that a national Indian economic development conference be called within 6 months to strategize and evaluate Indian economic development in this country. Hopefully, this conference will develop common goals for which the entire Indian community in this country can strive for.

4. Recommend that OEO redefine its position on funding urban Indians so that urban Indians can get direct funding from OEO.

We recommend that N.C.I.O. be given the staff, funds and authority to develop an American Indian economic development organization. The organization is to have a center with national authority with satellite programs in the urban areas with major Indian populations.

The national authority organization should be staffed and funded to provide the following:

1. Consulting services - these services are to be those that are so specific that the staffs and consultants of the urban centers cannot provide; this service will be provided on a "task team" basis.

2. Coordination - the national authority will coordinate the following activities on a national basis:

   a. Urban Center Activities: through continued contact with the activities of the individual centers, the national authority will keep all informed of the successes and failures in each to multiply the former and eliminate the latter.

   b. Private Business Sector: the national authority will provide support to economic opportunities developed by the urban centers and insure that all urban centers are kept informed of opportunities developed by other centers or developed by the national authority itself.

   c. Reservation Activity: the national authority will keep abreast of economic development through the Bureau of Indian Affairs to insure that all urban centered economic opportunities developed as a result of reservation developments can be taken advantage of by the relevant urban centers; the

national authority will also provide urban centered services to reservation economic development through knowledge of urban center capability and reservation needs.

d. Federal Agencies: Due to the Washington-base of federal agencies, the national authority will coordinate the application of federal programs in the urban areas where centers exist and are being developed; this authority is critical to the success of urban centers and federally funded programs and businesses.

3. Funding - the national authority should be provided funds to distribute on a grant basis to projects developed by the urban centers which cannot be funded due to a lack of equity funds; this funding is to be equity funds.

The urban centers will be developed on the basis of the Urban Indian Development Association of Los Angeles, California (UIDA). UIDA should be provided the funds and staff to provide the technical assistance to develop urban centers under the direction of the national authority. They will basically provide consultant services, identify economic opportunity in the local and private business sectors, management and manpower training, etc.

RECOMMENDATIONS OF THE CONTRACTS AND PROPOSALS COMMITTEE

The workshop on contracts and proposals met and determined that three critical needs exist in the areas of funding.

A. FORMATION OF AN NCIO SPONSORED TASK FORCE FOR PROPOSALS AND GRANTS: An all Indian task force of proposal and funding experts to travel to urban centers for the following purposes:

1. Research and development of proposals. When a problem is identified, the task force representative can, with the approval of the requesting agency (Indian center, etc.) research the problem, make recommendations, and develop a proposal.

2. When requested, the representative can conduct proposal-writing seminars.

3. The task force can, at the request of the grantee, act as grant monitors to work with problems as soon as they are identified. If an administrative or fiscal problem is determined, the grant monitor can make necessary recommendations.

4. The task force can act as a direct line of communication between Indian organizations and funding sources. It can determine the types and amounts of monies available, and the availability and feasibility of funds.

B. ESTABLISHMENT OF A GRANT DESK AT NCIO

A grant staff at NCIO would be established to do follow-up on approved grants. Too often, funds are delayed or used for other pruposes, causing a delay or a break down in the program. Each grantee would have the NCIO grant desk available to expedite disbursements and related functions.

C. SELF-DETERMINATION

It was resolved that the Bureau of Indian Affairs and all other Federal funding agencies begin to judge each proposal on its own merits and on the qualifications of the organization making the proposal. Although it is agreed that the organization should have support from the community, it is not believed that coalitions are necessary to run an effective program. Total representation is never possible, and should not be a requirement of agencies for funding.

RECOMMENDATIONS OF THE INDIAN CENTERS COMMITTEE

RESOLUTION

WHEREAS: The Indian Center Workshop in session on December 15, 1970 at Airlie House, Warrenton, Virginia obtained a general consensus that the services for American Indians are grossly inadequate;

BE IT THEREFORE RESOLVED THAT NCIO: Send field representatives to all organizations composed of Indians wishing to obtain funding, Federal or otherwise, to inform them of the steps required on forms used as guidelines;

AND BE IT FURTHER RESOLVED: NCIO establish better communications between centers and or Indian organizations and NCIO, as new programs develop through funding agencies such as H.E.W., etc., and or private foundations;

AND BE IT FURTHER RESOLVED: NCIO become aware of contracts and inform the organizations within the affected areas and NCIO should notify the organizations with ample time of their content, for the submission of proposals;

AND BE IT FURTHER RESOLVED: NCIO should attempt to eliminate the red tape required by Federal funding agencies or that NCIO provide consultants and technical assistance services to train the personnel delegated to draft proposals according to guidelines.

AND BE IT FURTHER RESOLVED: That all funds appropriated for American Indians be divorced from the grouping of minorities and earmarked for American Indian programs and bearing the tag American Indian.

RECOMMENDATIONS OF THE EMPLOYMENT COMMITTEE

What are the prospects for employment services administered by Indian centers?

Form a coalition of Indian Centers and urban organizations to focus on one problem at a time, e.g., employment.

Existing federal and state employment services are not, in fact, providing adequate services to the Indian community. There is widespread misuse of funds appropriated for Indian H&D and other manpower programs.

Mayors of cities should be made to include Indians under Model Cities programs.

Urge a survey of HUD and DOL activities and programs relative to Indian recipients and use results as basis for demanding services.

ALTERNATIVES:

Urban Indian desks in cities direct funding of Manpower Programs to Indian organizations or corporations. (Examples of direct funding in Alaska and Arizona).

According to the Manpower Act of 1970, which is awaiting signature by the President, the Mayors would have control of local manpower programs.

DEMAND that Indians have a proportionate share on the basis of need of manpower services rendered under the prime sponsor arrangement. Indians chosen and approved by the Indian community to have decision making involvement in administration. Indian compliance officer with State enforcement authority.

CAMPS committees should not control approval or disapproval of programs.

Establish a task force of regional urban Indian representatives to assemble in Washington to establish goals and objectives for Indian manpower programs through the Department of Labor, to be paid per diem at the rate of GS-18. This task force to continue to serve as liaison and consultants to the DOL as necessary.

Urge the Congressional delegations to demand that the provisions of Title VII of the Civil Rights Act apply to state and local governments and agencies as employers.

DEMAND proportionate participation of urban Indians in apprenticeship and other training programs, such as home town solutions being planned (e.g., the Philadelphia Plan).

Urge the federal government to make funds available to Indian Centers and/or urban Indian organizations to administer employment orientation (e.g. attached prevocational orientation outline).

Request follow-up on these recommendations by NCIO within a period of ninety (90) days from the date of this conference. Request the assistance of Mr. Joseph Vasquez of NCIO.

RECOMMENDATIONS OF THE LAND COMMITTEE

RESOLUTION

WHEREAS: The Native Americans recognizes land as the mother of all Indian people; land is important to our people and is our people;

WHEREAS: Land has been taken from our people without compensation through many devious devices;

WHEREAS: We recognize land as the prime issue confronting Indian people today, that land has traditionally been the Indians' economic status;

WHEREAS: As urban Indian people we believe that our hope lies in the consolidation and re-acquisition of our lost land;

WHEREAS: An immediate need exists for the protection and preservation of existing lands as well as a program to re-establish land bases for Indian people, for the preservation of our people;

THEREFORE, BE IT RESOLVED: That this urban conference of the National Council on Indian Opportunity does hereby support and advocate the Native American Embassy's proposed land seminar for the purpose of establishing a National Indian Board of Inquiry regarding land and a National Land Bank.

BE IT FURTHER RESOLVED: That this conference support the American Indian Movement's position on the proposed Sanguine Project and specifically endorse the work of Mr. Eddie Benton on this problem. We shall stop the Sanguine Project from desecrating Indian land and this project shall be a spring

board for the investigation of all Indian land issues by the National Indian Board of Inquiry for land.

BE IT FURTHER RESOLVED: That this conference supports the United Indians of All Tribes' claim to Fort Lawton.

BE IT FINALLY RESOLVED: That the urban Indian conference of National Council on Indian Opportunity adopt the following proposal of the Native American Embassy and advocate and support the recommendations therein.

RESOLUTION

WHEREAS: Seattle has historically been a major center for an Indian and Alaskan Native population currently in excess of 12,000;

WHEREAS: These 12,000 Indian and Alaskan Native people do not own one square inch of property in Seattle as a land base for the solution of their religious, social, cultural, and economic problems;

WHEREAS: The Indian tribes of the Point Elliot Treaty have never received just compensation for the land ceded in 1855, while the Federal government has broken said treaty by abrogating many of the provisions therein;

WHEREAS: Fort Lawton, an active military base being declared surplus by the Federal government, is connected to the city of Seattle and is covered by the Point Elliot Treaty; and

WHEREAS: The city of Seattle wants the land to create yet another public park, to add to the 52 existing parks in the city, while United Indians of All Tribes is seeking to create on the land at Fort Lawton a major service center for the Indian and Alaskan Native community;

BE IT RESOLVED: That the National Council on Indian Opportunity at the urban Indian conference hereby recognizes the treaty right in respect to the land in question of the tribes of Western Washington, and further recognizes the moral right and physical need of the Indian and Alaskan Native inhabitants of the city of Seattle, to use of said property (known as Fort Lawton) for

creation of a multi-purpose cultural, vocational, and educational center.

BE IT FURTHER RESOLVED: That the National Council on Indian Opportunity hereby requests the Commissioner of Indian Affairs, Mr. Louis Bruce, to cause the transfer of Fort Lawton from the Department of Defense to the Department of the Interior immediately upon its being declared surplus by the Congress of the United States, for exclusive use by the Bureau of Indian Affairs, working in conjunction with urban Indian and tribal organizations and councils in the Seattle area.

RECOMMENDATIONS OF THE HEALTH COMMITTEE

1. The United States Public Health Service receives funds to provide health services to Indians but refuses to serve any Indians that leave the reservations. This policy is only Public Health Service policy and not a Congressional statute.

2. Indian people do not have effective liaison with Congress to obtain adequate funds to do the job that is necessary and vital to the American Indian.

3. The Public Health facilities are out-dated and no planned up-grading of these facilities is planned.

4. The Public Health staff servicing Indians are not required to update their professional skills through in-service training programs thereby subjecting the Indian to antiquated and out-dated medical philosophies.

WE RECOMMEND:

1. That private physicians be hired to replace the second rate draft dodger type of staff recruited currently to practice on Indian people.

2. That there be an Indian Advisory Board established on the Tribal level, on the state level and on the national level to weed out the anti-Indian bureaucrats that are within the Indian health structure. Men who are not innovative and who are working against the Indians by influencing the stoppage of Indian health funds and who do not believe that Indians should receive services of any kind.

3. That OEO Health be charged with racial discrimination. Of the 60 neighborhood health centers established in the United States, approximately

58 are black, 1 or 2 are Chicano. One reservation Indian effort at Red Lake is only a staff assistant effort to the existing Indian health facilities. OEO Health has not funded one urban Indian health center.

4. That Tribal Councils and urban Indian Advisory Boards that are incorporated have access to federal funds to work with private hospitals and health institutions to assist Indians to take advantage of the mainstream of health services that are located in urban areas.

5. That one-third of the money allocated to Indian health be spent in urban areas because one-third of the nation's Indian population is located in the urban area. That this amount be increased annually with the increase of migration.

6. That it be exposed that the ten million dollars that President Nixon promised for Indian health efforts is for reservations only and these funds are nowhere to be found. This is a wind-bag promise to pacify the Indian.

7. That all existing public health facilities be investigated with Indian representation, medical consultants, and legal consultants.

8. That the funding pracgices of OEO Health be thoroughly investigated and the findings be publicized.

RECOMMENDATIONS OF THE COMMUNICATION COMMITTEE

RESOLUTION

WHEREAS: This conference recognizes the need for a nationwide communication system in order that all Indian people be made aware of vital information regarding legislation and federal programs.

WHEREAS: The Native American Embassy has developed and planned a nationwide communication system to provide information via a FTS system and a news journal.

WHEREAS: The Native American Embassy is located in Washington, D. C. and ideally situated, to collect and disseminate congressional legislation and Federal agency programs, and any Native Americans endeavors concerned with self-determination; to provide methods of communications between Native Americans; to establish centers which will provide information to Native Americans about various programs set up in their communities to assist minority peoples in own development.

BE IT RESOLVED: That the urban Indian conference of the National Council on Indian Opportunity advocate and support this communication system, that will be based and staffed in Washington, D. C., by providing designated contact(s) in each city and represented at this conference.

RECOMMENDATIONS OF THE CONGRESSIONAL AND POLITICAL AFFAIRS COMMITTEE

1. Congressional recognition of the Indians, no matter where they reside, so that all Indians may fully qualify for services through the Bureau of Indian Affairs and the Public Health Services.
2. All services presently being rendered by Federal agencies be contracted to local urban Indian centers and programs for implementation.
3. Indian organizations should become involved in local and state government in order to better implement programs and gain greater political "Claw".
4. A certain amount of OEO funds should be specifically earmarked for urban Indian programs, and that these funds not be channeled through the local CAA.
5. Indians should be part of all staffs of Congressional Committees which deal with Indian affairs.
6. The Staff Adviser to the Senate and House Subcommittee on Indian Affairs should be Indian.
7. Indian desks in all departments of the Federal government should have final authority on all Indian issues, and programs concerning Indians.
8. Funding of Indian voter registration should be a high priority.

9. That the state and local school administrators be made aware that an Indian Studies, Indian Lore, Indian Stories and Indian History reflecting a positive Indian image be made a part of every level of education.

INTRODUCTION

Indians have been struggling for a century under the burden of bureaucratic tokenism in the guise of "Indian" experts, special Indian subcommittees, token Indian positions and rhetoric. As it is, we see NCIO as a political arm of the Administration, and we recommend that it become a strong advocate of the Indian people. In this respect we do not see NCIO replacing the existing urban Indian organizations, which are now serving as our advocates, but would strongly recommend that NCIO work with them in implementing Indian programs.

1. That there be an Indian Director and staff of NCIO.

2. That the present NCIO Council resign so that an elected Indian council of working members can replace it.

3. That the Council be given enough authority so that it can effect change.

4. Since 50% of the Indians of the U.S. are in urban areas, we recommend that at least four Indians on the Council be representatives of urban areas.

RECOMMENDATIONS OF THE ABORIGINAL TREATY RIGHTS VS LEGAL CIVIL RIGHTS COMMITTEE

The Committee on Aboriginal Treaty Rights vs Legal and Civil Rights, after due consideration, does advise and recommend as follows:

It is an obvious truth that: treaties made and ratified between the Indian peoples and the Government of the United States, the effect of which was to recognize the aboriginal organizations and governments of the Indian peoples as those of soverign nations validating and giving the effect of law to customs, practices and religion of the Indian people. The United States Government flagrantly, often by means of aggesssive military action, knowingly, willfully, criminally violated these honorable and binding obligations, frequently forced upon the Indian peoples. This objectional practice continues into the present time, resulting in the daily violation of over 400 treaties with malice aforethought to commit grave injustices to Indian people, thus causing a state of social disorganization, the result of which causes high suicide rates, poverty, mental depression and anguish, and the final suppression of an entire race.

Further, that the Indian people, because of their special and honor-bound relationship with the United States Government cannot be considered in the same fashion as other minority. Therefore, much of the civil rights legislation, the result of which was forced assimilation, is in conflict with the rights and immunities granted by treaties, and

therefore unconstitutional, and really amounts to a termination of a proud, noble race whose existence is a vital element of this nation's free life.

That because historically for many persons, the Constitution of the United States has become a mere abstraction, and that civil justice as administered by local police and local courts reflects, more of the local, dominant society's values and mores than the law. Indian people, who because of a flagrant violation of their rights as guaranteed under treaties, find themselves especially oppressed and are denied any mechanism to resist.

That because members of past Congress and members of previous administrations were either misguided, ill-informed, or in some cases blatantly dishonest or worse, apathetic, laws and administrative regulations came into existance. The effect of which, has been to upset the intent of the Indian signers of the subject treaties and has resulted in such misguided efforts as public law #507, the Klamath Termination Act. This Act being representative of several other termination acts in every case created in human misery and economic disaster.

Therefore, because it is essential that present day federal and state administrators, federal and state legislators and federal and state judicial officers be fully informed and sensitized to the past and continuing specialized problems of the Indian peoples, we propose as follows:

1. That Richard M. Nixon, President of the United States do hereby appoint and establish an immediate Presidential commission. This commission to be headed by Mrs. LaDonna Harris, Commanche Indian and entitled <u>The President's Commission on the American Indian.</u> This commission to be staffed and funded at a level comparable with the Kerner Commission and subsequent commissions of like nature. This commission is to examine in detail each and every aspect of American life, past and present with special attention to the rights, privaleges and immunities of the American Indian peoples as guaranteed by treaties and administrative policy and alleged violations thereof. In no case should the work of this commission be limited to a mere anthrological study nor should the work of this commission be limited to the reservation aspect of Indian life. The urban Indian while not the recipient of attentions paid to reservation Indians, suffers the same economic and social injustices, which have become typical of the American Indian.

We propose that the staffing of this commission be all Indian.

2. Aside and apart from proposal No. 1, we recommend and advise as follows:

If the Presidential Commission finds these violation of treaties, federal law or administrative procedures, have or

are occuring, proper complaints would then be drafted and persued in the Federal Courts with the aim of reenforcement of International Law that these treaties represent.

3. We propose that those portions of the several civil rights laws which in any way have the effect of termination of forced assimilation, be modified so as to exclude Indians.

Because Indian land, Indian territories, and Indian reservations have dwindled from 150 million acres in the past 100 years to a mere 50 million acres today; and

Because the reservations now resemble giant checkerboards; and

Because a totally-owned economic base is needed for total Indian development; and

Because a need exists for a power base; and

Because the property rights and human rights of Indian people have been invaded and disturbed; and

Because the Reorganization Act of 1834 was detrimental to Indian people, and based upon an 1828 decision of the U.S. Supreme Court, Worcester v. State of Georgia, where a decision was handed down that "Indians are a sovereign nation and are not subject to State laws"; and

Because "trust-title" is not recognized by State governments; and

Because current tracts of reservations are in multiple ownership (sometimes as many as 500 Indians, and in some extreme cases, 2000 Indians own one acre of land); and

Because of this situation, an impossible task of determining rightful ownership exists; and

Because it is utterly impossible to reach a legal opinion (conflicting statutes, overlapping treaties, policies, Federal decisions, Federal regulations, pending Federal court actions) as to who owns what, where, when, or why.

Also,

> "Restrictive jurisdiction that Indians have within their reservations has established many policies of the Government that are racist and based upon the theory that Indians were not capable of providing justice to non-Indians. Yet, Indians not on the reservation were forced to submit to non-Indian justice. Thus, Indians should be given exclusive jurisdiction over non-Indians and Indians within their respective jurisdictions."

The Native American Embassy proposes:

1. That Congress establish a Federal Indian Supreme Court.

   A. That this Federal Indian Supreme Court be responsible to all suits--civil and criminal, State and Federal--where concerns of Indian people lie in jeopardy.

   B. That this Court be the final authority on all questions regarding treaties and Federal and State laws, and delivers final opinion of Federal trust relationship.

2. That this Federal Indian Supreme Court will Mandate into law a "freeze" on all Indian land held in Federal trust.

   A. That this Mandate would require all lands originally designated as reservations be forever returned to Federal trust status.

   B. That the original boundaries of each reservation be reestablished in its entirety.

   C. That this Mandate void all:

      -- Right-of-way clauses

      -- Right-of-condemnation clauses which have shrunk the reservations.

D. That this Mandate amend all current leases, Federal and State, to include a "right-of-reverter" clause.

E. That this Mandate declare as illegal Public Law 280.

F. That this Mandate seriously question the motives and validity of Public Law 91-485, which "provides for transfer of surplus Federal real property to units of State and local government for park and recreational purposes at discounts ranging up to one hundred percent."

3. That this Federal Indian Supreme Court establish the Office of Federal Indian Solicitor and Attorney General.

A. That this Federal Indian Solicitor and Attorney General be responsible to curb U.S. legislation that may in any manner be detrimental to Indian people.

B. That this Indian Solicitor and Attorney General introduce legislation that is beneficial to Indian people.

C. That this Indian Solicitor and Attorney General or his representative be empowered to defend all U. S. Indians in civil, criminal courts.

D. That this Indian Solicitor and Attorney General bring suit against any and all persons who commit crimes against any and all Indian people . . . further, that prisons be built to confine all persons convicted of violating Indian laws and that these prisons be managed by Indian people.